

Appl. No. 09/492,081
Amendment dated June 17, 2004
Reply to Office Action of March 17, 2004

REMARKS

Claims 1, 4, 6, 8, 11, 15 and 21-27 are pending in this application. For purposes of expedition, claims 2-3, 5, 7, 9-10, 12-14 and 16-20 have been canceled without prejudice or disclaimer. Claims 1, 4, 6, 8, 11 and 15 have been amended in several particulars for purposes of clarity and brevity that are unrelated to patentability and prior art rejections while Claims 21-27 have been newly added in accordance with current Office policy, to further and alternatively define Applicants' disclosed invention and to assist the Examiner to expedite compact prosecution of the instant application.

Claims 2-18 have been rejected under 35 U.S.C. §112, 2d ¶, as being indefinite for reasons stated on pages 1-2 of the Office Action (Paper No. 4). As previously discussed, claims 2-3, 5, 7, 9-10, 12-14 and 16-18 have been canceled without prejudice or disclaimer. Remainder claims 4, 6, 8, 11 and 15 have been amended in those instances kindly noted by the Examiner to overcome the rejection.

Claims 1-10 have been rejected under 35 U.S.C. §102(b) as being anticipated by Gurley, U.S. Patent No. 5,036,315 for reasons stated on page 2-4 of the Office Action (Paper No. 4). As discussed, claims 2-3, 5, 7 and 9-10 have been canceled without prejudice or disclaimer. Claims 1, 4, 6 and 8 have been amended to incorporate features that are not disclosed or suggested by Gurley '315.

For example, base claim 1 has been amended to define a monitor device for displaying images from a plurality of computers, comprising:

- a plurality of display data interface units for receiving display data from individual computers;
- a plurality of communication data interface units for inputting/outputting communication data including destination information and alteration information for a form of superposed displaying of said display data, from/to individual computers;

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a superposed display unit for superposed displaying two or more display data received from two or more display data interface units;
a display controller for altering the form of the superposed displaying of said display data on the basis of said alteration information included in said communication data input, via said communication data interface units;

a communication controller for controlling transmission of said communication data input, via said communication data interface units, to any one of said display controller and individual computers on the basis of said destination information included in said communication data,

wherein said communication controller is also configured to receive input information from an input device, to transmit said input information as said communication data to said display controller if said input information includes alteration information for the form of superposed displaying of said display data, or alternatively, to transmit said input information as said communication data to any one of said individual computers, via said communication data interface units, on the basis of switching by said input device if said input information includes information other than said alteration information.

As expressly defined in Applicants' base claim 1, the communication data from individual computers are input into the communication controller. Likewise, input information from an input device is also input into the communication controller. As a result, both the communication data from the computers and the input information from the input device are input into the same device, i.e., communication controller. The communication controller is then configured not only to transmit communication data from the computers to the display controller but also transmit communication data from one computer to another computer among the computers, and transmit the communication data and input information to any one of the display controller and the computers on the basis of contents of the input information or on the basis of content of switching by an input device. As a result, the monitor device is able to advantageously display images from multiple computers at the same time

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and the user can use, without having to leave a specific input device, a specific input device and a specific monitor device in connection with multiple computers.

In contrast to Applicants' base claim 1, Gurley, U.S. Patent No. 5,036,315, discloses a computer system in which two or more computers are permitted to simultaneously each display video information within selected windows that are assigned to each upon a single video monitor. As shown in FIG. 1, such system comprises a host computer 10, a system window managing computer 80, a monitor console 100 which performs superposed displaying of data from the host computer 10 and display data from the system window managing computer 80, a display controller DC 30, and a design set communication controller DSCC 20.

However, in Gurley '315, the control signals 31, 33 (which correspond to the communication data of Applicants' base claim 1) from the system window managing computer SWMC 80 are directly inputted into the display controller 30, and not through the design set communication controller DSCC 20, as shown in FIG. 1.

In addition, the control signals from peripheral devices, such as mouse, keyboard, etc. are inputted a peripheral interface module PM 40 or 80, and not through the design set communication controller DSCC 20, as shown in FIG. 1.

In other words, in Gurley '315, the control signals 31, 33 from the system window managing computer SWMC 80 and the control signals from the peripheral devices are inputted into difference devices (DC 30 or PM 40 or 80).

In contrast to Gurley '315, both the communication data from the computers and the input information from the input device are inputted into same device (the communication controller) as defined in Applicants' base claim 1.

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More importantly, in Gurley '315, the design set communication controller DSCC 20 is used to transmit codes and tables for the peripheral devices from the display controller DC 30 to the host computer 10 (see col. 9, lines 31-42) and information (display data) from the host computer 10 to the display controller DC 30 (see col. 8, lines 19-35).

In contrast to Gurley '315, Applicants' claimed "communication controller" does not only transmit the communication data from the computers to the display controller but also transmits the communication data from one computer to another computer among the computers, and transmits the communication data the input information to any one of the display controller and the computers on the basis of content of the input information or on the basis of content of switching by said input device.

In view of these fundamental distinctions, Gurley '315 does **not** disclose Applicants' claimed "communication controller" as expressly defined in base claim 1.

The rule under 35 U.S.C. §102 is well settled that anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. In re Paulsen, 30 F.3d 1475, 31 USPQ2d 1671 (Fed. Cir. 1994); In re Spada, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990). Those elements must either be inherent or disclosed expressly and must be arranged as in the claim. Richardson v. Suzuki Motor Co., 868 F.2d 1226, 9 USPQ2d 1913 (Fed. Cir. 1989); Constant v. Advanced Micro-Devices, Inc., 848 F.2d 1560, 7 USPQ2d 1057 (Fed. Cir. 1988); Verdegall Bros., Inc. v. Union Oil Co., 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987). The corollary of that rule is that absence from the reference of

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any claimed element negates anticipation. Kloster Speedsteel AB v. Crucible Inc., 793 F.2d 1565, 230 USPQ2d 81 (Fed. Cir. 1986).

The burden of establishing a basis for denying patentability of a claimed invention rests upon the Examiner. The limitations required by the claims cannot be ignored. See In re Wilson, 424 F.2d 1382, 165 USPQ 494 (CCPA 1970). All claim limitations, including those which are functional, must be considered. See In re Oelrich, 666 F.2d 578, 212 USPQ 323 (CCPA 1981). Hence, all words in a claim must be considered in deciding the patentability of that claim against the prior art. Each word in a claim must be given its proper meaning, as construed by a person skilled in the art. Where required to determine the scope of a recited term, the disclosure may be used. See In re Barr, 444 F.2d 588, 170 USPQ 330 (CCPA 1971).

In the present situation, Gurley '315 fails to disclose and suggest key features of Applicants' base claim 1. Therefore, Applicants respectfully request that the rejection of base claim 1 and its dependent claims be withdrawn.

Claims 11-15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gurley, U.S. Patent No. 5,036,315 for reasons stated on pages 4-5 of the Office Action (Paper No. 4). As discussed, claims 12-14 have been canceled without prejudice or disclaimer. Dependent claims 11 and 15 have been amended to incorporate features that are not disclosed or suggested by Gurley '315 for reasons discussed below. Moreover, the Examiner has improperly taken Official Notice of features that are novel in Applicants' disclosed invention, that is, the use of "an image data input interface unit for inputting image data from a camera" in which "said superposed display unit performs superposed displaying of not only two or

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more display data input, via two or more of said display data interface units, but also image data input from the camera, via said image data input interface unit." Since these features are novel features, the Examiner may not rely on matters of judicial notice at exact point at which patentable novelty is argued. *Ex parte Cady*, 148 U.S.P.Q. 162 (POBA 1965). Determination of obviousness must be based on facts, not on unsupported generalities. *In re Warner*, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967); *In re Freed*, 425 F.2d 785, 165 USPQ 570 (CCPA 1970). It is fundamental that rejections under 35 U.S.C. §103 must be based on evidence comprehended by the language of that section." *In re Grasselli and Hardman*, 713 F.2d 731, 739, 218 USPQ 769, 775 (CA FC 1983). Unless evidence is produced in support of such Notice, Applicants respectfully request that the rejection be withdrawn.

Lastly, claims 16-20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gurley, U.S. Patent No. 5,036,315, as modified to incorporate selected features from Vell, U.S. Patent No. 6,089,202 for reasons stated on page 5 of the Office Action (Paper No. 4). However, for purposes of expedition, claims 16-20 have been canceled without prejudice or disclaimer to render the rejection moot.

Claims 21-27 have been newly added to alternatively define Applicants' disclosed invention over the prior art of record. These claims are believed to be allowable at least for the same reasons discussed against all the outstanding rejections of the instant application. No fee is incurred by the addition of claims 21-27.

In view of the foregoing amendments, arguments and remarks, all claims are deemed to be allowable and this application is believed to be in condition to be

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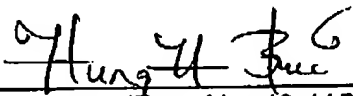
passed to issue. Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney at the Washington DC area office at (703) 312-6600. Applicants respectfully reserve all rights to file subsequent related application(s) (including reissue applications) directed to any or all previously claimed limitations/features which have been amended or canceled, or to any or all limitations/features not yet claimed, i.e., Applicants have no intention or desire to dedicate or surrender any limitations/features of the disclosed invention to the public.

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage of fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, No. 01-2135 (Application No.501.38087X00), and please credit any excess fees to said deposit account.

Respectfully submitted,

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